



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

JUL 12 1994

1068827 - R8 SDMS

Ref: 8WM-C

Certified Mail No. P 023 787 893
Return Receipt Requested

Robert A. Little
Manager, East Helena Plant
Asarco Incorporated
P.O. Box 1230
East Helena, MT 59635

ENVIRONMENTAL
PROTECTION AGENCY
JUL 13 1994
MONTANA OFFICE

Re: NPDES Compliance
Inspection

Dear Mr. Little:

Enclosed is a copy of the Compliance Evaluation Inspection report for the EPA inspection performed by EPA and Science Applications International Corporation (SAIC) at your East Helena, Montana facility on April 11, 1994. Please pay special attention to the SUMMARY OF FINDINGS (Section 2.0) and immediately implement the required and recommended corrective actions.

Based on the findings of the inspection, EPA Region VIII has determined that the Asarco facility in East Helena has discharged and continues to discharge pollutants in violation of the Clean Water Act (Act). Asarco is advised to immediately take all action necessary to comply with the Act, including applying for an NPDES permit for wastewater discharges associated with the lead smelting and acid plant operations. Please contact the State of Montana NPDES program to obtain copies of the forms required for an NPDES permit application as soon as possible.

Within 30 days of receipt of this report, please provide EPA with a summary of the corrective actions taken, including steps to measure wastewater flow from the lead smelting and acid plant operations to Lower Lake. In addition, please provide all available information (dates, volumes and monitoring results) relating to wastewater discharges from the facility (including the two one million gallon tanks and the HDS wastewater treatment system) to Lower Lake and/or Prickly Pear Creek that have occurred since July 1, 1984. Also, please provide a response to the applicability of other federal and state environmental statutes (i.e. RCRA, SDWA, State groundwater) to wastes and or wastewaters produced from the lead smelting and acid plant operations. This summary should be sent to Paul Montgomery (8MOO) at the following address:

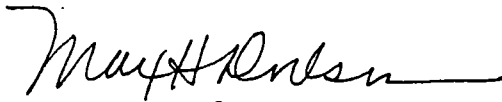


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Paul Montgomery, P.E.
U.S. EPA - Montana Office
Drawer 10096
301 S. Park
Helena, MT 59626

This inspection report will be reviewed for follow-up enforcement action. If you have any questions concerning the enclosed report, please contact Paul Montgomery at (406) 449-5486 or Bruce Kent at (303) 293-1263.

Sincerely,



Max H. Dodson
Director
Water Management Division

Enclosure

cc: Paul Montgomery, 8MO
Steve Pilcher, Acting Water Division Director, MDHES
Scott Brown, 8MO
Jay Spickelmier, Hydrometrics
Darrell Shew, Engineer, ASARCO East Helena Plant